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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Bill James Peck

Serial No.: 10/813,337

Examiner: Betty J. Forman

Filing Date: March 29, 2004

Group Art Unit: 1634

Title: METHODS FOR IN SITU GENERATION OF NUCLEIC ACID ARRAYS

COMMISSIONER FOR PATENTS
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TERMINAL DISCLAIMER
RESPONSIVE TO A PROVISIONAL DOUBLE PATENTING REJECTION

Sir:

Petitioner, Agilent Technologies Inc., is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/813,331, filed on March 29, 2004. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Rev 05/00 (TermDis)